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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,815	06/25/2003	Shun Takizawa	28-001	1998
23400	7590	12/02/2004		EXAMINER
POSZ & BETHARDS, PLC 11250 ROGER BACON DRIVE SUITE 10 RESTON, VA 20190			FASTOVSKY, LEONID M	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/602,815	TAKIZAWA ET AL.
	Examiner Leonid M Fastovsky	Art Unit 3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 September 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 June 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

2. Applicant's election without traverse of claims 1-10 in the reply filed on 9/25/04 is acknowledged.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1–4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellin et al (5,448,996) in view of Black 95,550,324) and further in view of Kasai (6,095,844).

Bellin teaches a patient monitor system comprising a patient monitor sheet 12 that includes wiring 32, a circuit board 14, a digital output means 16, and a plurality of piezoelectric sensors formed in the film 44 of the sheet 12, but does not teach a connection box that is attached to the edge of the patient sheet and has a slit through which the patent sheet passes. Black teaches a connection box that includes a housing

12,14 that internally encloses a circuit board 34 and has one end 50 (Fig. 2) that is open and covered by an end plate 52. Kasai teaches a connection box 11 and a slanted slit 15 through which a bus bar 16 is inserted and means 23, 26 and 27 for fixing the bus in the slit 15. It would have been obvious to one having ordinary skill in the art to modify Bellin's invention to include a connection box of Black having the internally enclosed circuit board, and modify the open end 50 of Black's housing to include a slit with curved edges instead of slanted edges as conventional with fixing means in order to secure the bus bar as taught by Kasai (col. 3, lines 13-32).

As for claims 2, Black teaches an elastic seal 102 (Fig. 4). It would have been obvious to one having ordinary skill in the art to use an elastic seal in the invention of Bellin, Black and Kasai to seal the patient sheet as taught by Black.

As for claim 3 and 13, Black teaches projections closed to the opening 50 (not marked) in Fig. 2. It would have been obvious to one having ordinary skill in the art to modify projections of Black and make holes in the patient sheet of Bellin to fix the patient sheet in the housing of Black as a conventional method of securing the patient sheet.

As for claim 4, Black teaches a circuit board 34 and has connectors 54 for connecting wires to the board, but is silent about covering material of the wiring and its fixing. It would have been obvious to one having ordinary skill in the art to use a covering material for the wiring and include means for its fixing it in the system of Bellin, Black and Kasai as a conventional method for protecting wiring from breaking.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bellin in view of Black and Kasai and further in view of Cray et al (3,832,603).

Bellin in view of Black and Kasai teaches substantially the claimed invention including a circuit board 34, but does not teach a plurality of boards. Cray teaches a plurality of boards 11, 12, 13 and 14. It would have been obvious to one having ordinary skill in the art to modify the invention of Bellin, Black and Kasai to include a plurality of boards in the housing of Black and wiring disposed at the bottom of the plurality of boards to stack them properly as taught by Cray (Abstract).

6. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellin in view of Black and Kasai and further in view of Kiepen et al (6,210,339).
Bellin in view of Black and Kasai teaches substantially the claimed invention, but does not teach a first wiring, a second wiring and a third wiring. Kiepen discloses an electrical connector 300 having a pressure sensor 1002 and a first wiring 312, a second wiring 314 and a third wiring 316. It would have been obvious to one having ordinary skill in the art to modify the invention of Bellin in view of Black and Kasai to include three separate wirings in order to interface the circuit to the group of wires that travel along the length of the electrical device as taught by Kiepen (col. 3, lines 15-29).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 6592528 (data input section 42), 6126611 (sense apnea 1), 5785659 (a sensor 42), 4133592 (a plurality of circuit boards).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid M Fastovsky whose telephone number is 571-272-4778. The examiner can normally be reached on M-Th. 8.00 am -6.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-2724777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leonid M Fastovsky
Examiner
Art Unit 3742

lmf


11/28/04